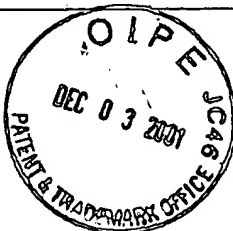


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#10  
CBWApplicant(s): Grooms *et al.*

Serial No.: 09/701,933

Filed: 8/25/1998

Title: "Cortical Bone Cervical Smith-  
Robinson Fusion Implant"

Group Art Unit: Unknown

Attorney Docket No.: TB1-04IA-US

Assistant Commissioner for Patents  
Washington, D.C. 20231INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

☒ under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)

☐ under 37 CFR 1.97(c) together with either a:  
☐ Certification under 37 CFR 1.97(e), or  
☐ a \$240.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with a:  
☐ Certification under 37 CFR 1.97(e), and  
☐ a petition under 37 CFR 1.97(d)(2)(ii), and  
☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i)(1).  
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: 11-15-2001

Typed Name: Timothy H. Van Dyke

Signature: 

Respectfully submitted,

  
\_\_\_\_\_  
Timothy H. Van Dyke  
Attorney/Agent for Applicant(s)  
Reg. No. 43218

Date: 11-15-2001

Van Dyke & Associates, P.A.  
1630 Hillcrest Street  
Orlando, FL 32803

Telephone No.: 407-228-0328  
Fax No: 407-228-0329